

or political sub-division thereof of its civil and criminal jurisdiction in and over such property, or impair the civil rights under the State or local law of the inhabitants on such property.

This provision amounts to a disclaimer on the part of the United States of any jurisdiction that might be available to it under State cession laws which are broad enough in scope to cover lands acquired as sites for such housing, as for instance, laws ceding jurisdiction over lands acquired for the erection of buildings for any government purpose.

However, the Act of Congress approved January 21, 1942, *supra* (56 Stat. 11), which amended the Lanham Act in certain particulars, provides:

That the Administrator may, in his discretion, upon the request of the Secretary of War or Navy, transfer to the jurisdiction of the War or Navy Departments such housing constructed under the provisions of this Act as may be considered to be permanently useful to the Army or Navy.

The Comptroller General, in 23 Comp. Gen. 406, in holding that land transferred to the Navy Department under the provisions of the Act of January 21, 1942, *supra*, was removed from the operations of the Lanham Act, observed that such land "then becomes a part of the property permanently under the jurisdiction of the Navy Department." And in a letter to the Secretary of War dated February 9, 1943, B-31987, the Acting Comptroller General commented that "in view of the fact, as pointed out by you, that the statute here involved does not contemplate a retransfer to the Administrator of the jurisdiction of housing transferred by him to the War or Navy Department under the above-quoted provisions of Section 4 of said act, there would appear to be no room for doubt that it was the legislative intent that such a transfer would be no less complete and permanent than a disposition by the Administrator, of Housing to private parties."

The question has arisen whether Federal jurisdiction may be acquired under existing State cession statutes over lands that have been transferred to the War or Navy Department pursuant to the Act of January 21, 1942, *supra*, and which are devoted to a use falling within the purview of such State statutes.

The Attorney General of the United States has not rendered an opinion on the subject. However, the Judge Advocate General of the Army, in an opinion dated February 5, 1944, had occasion to consider the matter in connection with an Arkansas statute which consented to the purchase by the United States of any site or ground for the erection of certain expressly named structures, "or other public buildings of any kind whatever." In holding that jurisdiction was available to the Government under the statute over certain lands transferred to the War Department pursuant to the Act of January 21, 1942, *supra*, the Judge Advocate General said:

The land in question was originally acquired by the United States for a purpose within the scope of the Arkansas statute cited, and although the purpose for which the land was originally purchased changed, the land is still held for a purpose within the scope of the statute. Accordingly, it is believed that a notice of acceptance of exclusive jurisdiction on behalf of the United States over the area in question as provided for in Section 355, Revised Statutes, as amended, would be effective to vest such jurisdiction in the United States.